



Entered on Docket
April 29, 2010

Bruce A. Markell

Hon. Bruce A. Markell
United States Bankruptcy Judge

WILDE & ASSOCIATES

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U.S. Bank National Association, as trustee, relating to J.P. Morgan Mortgage Acquisition Corp. 2005-FRE1 Asset Backed Pass-Through Certificates. Series 2005-FRE1 10-71092

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

<p>In Re:</p> <p>Ben W. Huffman</p>	<p>Bk Case No.: 09-25455-bam</p> <p>Date: 4/20/2010 Time: 1:30 pm</p> <p>Chapter 13</p>
<p>Debtor</p>	

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor U.S. Bank National Association, as trustee, relating to J.P. Morgan Mortgage
4 Acquisition Corp. 2005-FRE1 Asset Backed Pass-Through Certificates. Series 2005-FRE1, its
5 assignees and/or successors in interest, of the subject property, generally described as 3632 Hammock
6 St., Las Vegas, NV 89147.
7

8 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
9 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
10 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
11 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.
12

13 Submitted by:

14 **WILDE & ASSOCIATES**

15 By:  #10740

16 Gregory L. Wilde, Esq.

17 Attorney for Secured Creditor

18 **APPROVED / DISAPPROVED**

19 By: _____

20 James Scott Dilbeck

21 Attorney for Debtor(s)

22 **APPROVED / DISAPPROVED**

23 By: _____

24 Kathleen A Leavitt

25 Chapter 13 Trustee
26

1 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

2 ☐ The court waived the requirements of LR 9021.

3 ☐ No parties appeared or filed written objections, and there is no trustee appointed in the case.

4 ☐ No parties appeared or filed written objections, and the trustee is the movant.

5 ☒ This is a chapter 7 or 13 case, and either with the motion, or at the hearing, I have delivered a
6 copy of this proposed order to all counsel who appeared at the hearing, and any trustee
7 appointed in this case, any unrepresented parties who appeared at the hearing, and each has
8 approved or disapproved the order, or failed to respond, as indicated below:

9 Debtor's counsel:

10 ☐ approved the form of this order ☐ disapproved the form of this order

11 ☐ waived the right to review the order and/or ☒ failed to respond to the document

12 ☐ appeared at the hearing, waived the right to review the order

13 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15 ☐ approved the form of this order ☐ disapproved the form of this order

16 ☐ waived the right to review the order and/or ☒ failed to respond to the document

17 ☐ This is a chapter 9, 11, or 15 case, and I have delivered a copy of this proposed order to all
18 counsel who appeared at the hearing, and any trustee appointed in this case any unrepresented
19 parties who appeared at the hearing, and each has approved or disapproved the order, or failed to
20 respond, as indicated below.

21 Debtor's counsel:

22 ☐ approved the form of this order ☐ disapproved the form of this order

23 ☐ waived the right to review the order and/or ☐ failed to respond to the document

24 ☐ appeared at the hearing, waived the right to review the order

25 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

26 Trustee:

☐ approved the form of this order ☐ disapproved the form of this order

☐ waived the right to review the order and/or ☐ failed to respond to the document

☐ I certify that I have served a copy of this order with the motion, and no parties appeared or filed
written objection.

Submitted by:

/s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

Attorney for Secured Creditor